UNITED STATES DISTRICT COURT WESTERN DISTRICT OF TENNESSEE EASTERN DIVISION

ERIC GLENN FRANKLIN,	
Plaintiff,)))
VC) No. 10 1196 IDT and
VS.) No. 19-1186-JDT-cgc
CDIMINIAL HISTIGE CENTED ET AL	
CRIMINAL JUSTICE CENTER, ET AL.,)
Defendants.)

ORDER DISMISSING CASE, CERTIFYING AN APPEAL WOULD NOT BE TAKEN IN GOOD FAITH AND DENYING LEAVE TO APPEAL IN FORMA PAUPERIS

On October 29, 2019, the Court issued an order dismissing Plaintiff Eric Glenn Franklin's *pro se* complaint and granting leave to file an amended complaint. (ECF No. 9.) Franklin was warned that if he failed to file an amended complaint within twenty-one days, the Court would assess a strike pursuant to 28 U.S.C. § 1915(g) and enter judgment. (*Id.* at PageID 38-35.) The Court subsequently allowed Franklin two extensions of time in which to file an amendment. (ECF Nos. 12 & 14.)

Franklin has not filed an amended complaint, and the time within which to do so has expired. Therefore, this case is DISMISSED in its entirety, and judgment will be entered in accordance with the October 29, 2019, order dismissing the original complaint for failure to state a claim.

It is CERTIFIED, pursuant to 28 U.S.C. § 1915(a)(3) and Federal Rule of Appellate Procedure 24(a), that any appeal in this matter by Franklin would not be taken in good faith. Leave to appeal *in forma pauperis* is DENIED.

For analysis under 28 U.S.C. § 1915(g) of future filings, if any, by Franklin, this is the second dismissal of one of his cases as frivolous or for failure to state a claim.¹ This strike shall take effect when judgment is entered. *See Coleman v. Tollefson*, 135 S. Ct. 1759, 1763-64 (2015).

The Clerk is directed to prepare a judgment.

IT IS SO ORDERED.

s/ James D. Todd JAMES D. TODD UNITED STATES DISTRICT JUDGE

¹ See Franklin v. Pride, No. 1:19-cv-1234-JDT-cgc (W.D. Tenn. Oct. 10, 2019) (dismissed for failure to state a claim).